

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

ARREST/INVESTIGATION REPORT

WPD 6a (10-98)

Region # NED Page 1 Of 4

DATE OF INCIDENT/OCCURRENCE 08-15-07		TIME (2400) 1200	CITY/COUNTY/JUDICIAL JURISDICTION 4874 Rainbow Trail, Pollock Pines, CA. / El Dorado County		
<input checked="" type="checkbox"/> "X" ONE <input type="checkbox"/> Arrest Report <input type="checkbox"/> Formal Complaint		<input checked="" type="checkbox"/> "X" ONE <input type="checkbox"/> Self Initiated <input type="checkbox"/> Complaint	TYPE OF REPORT ("X" APPLICABLE) <input type="checkbox"/> Commercial Fishing <input type="checkbox"/> Hunting <input type="checkbox"/> Inland Pollution <input type="checkbox"/> CalTIP <input type="checkbox"/> Recreational Fishing <input type="checkbox"/> Trapping <input type="checkbox"/> Marine Pollution <input checked="" type="checkbox"/> Other Reported Streambed Violation / Unfounded!		

Suspect Information

Name Suspect #1 (First, Middle, Last) Ken Teague		Sex <input checked="" type="checkbox"/> M <input type="checkbox"/> F	Date of Birth (MM/DD/YY) N/A	Citation Number N/A
Suspect Address (Street, Apt., City, State, Zip Code) 4874 Rainbow Trail, Pollock Pines, CA.				Home Phone 530-644-0201
Business Address (Street, Apt., City, State, Zip Code) N/A				Business Phone N/A
Identification Type ("X" APPLICABLE) <input type="checkbox"/> CDL/CID <input type="checkbox"/> Other State DL/ID <input type="checkbox"/> Other ID: Number: N/A	Suspect Description ("X" APPLICABLE) GENERAL: Height: <u>N/A</u> <input type="checkbox"/> Blk <input type="checkbox"/> Blk <input type="checkbox"/> Brn <input type="checkbox"/> Blu <input type="checkbox"/> Brn <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic HAIR: Weight: <u>N/A</u> <input type="checkbox"/> Gry <input type="checkbox"/> Red <input type="checkbox"/> None <input type="checkbox"/> Gm <input type="checkbox"/> Hr <input type="checkbox"/> White <input type="checkbox"/> Other EYES: ETHNICITY:			
Vehicle Type ("X" APPLICABLE) <input type="checkbox"/> Auto <input type="checkbox"/> Vessel <input type="checkbox"/> Other	Description (Make, Model, Year, Color) N/A		License Plate Number/VIN N/A	

Offenses and Charges

<input type="checkbox"/> F&G <input type="checkbox"/> JT-14 <input type="checkbox"/> Other: <input type="checkbox"/> Section: N/A Description:	<input type="checkbox"/> F&G <input type="checkbox"/> JT-14 <input type="checkbox"/> Other: <input type="checkbox"/> Section: Description:
<input type="checkbox"/> F&G <input type="checkbox"/> JT-14 <input type="checkbox"/> Other: <input type="checkbox"/> Section: Description:	<input type="checkbox"/> F&G <input type="checkbox"/> JT-14 <input type="checkbox"/> Other: <input type="checkbox"/> Section: Description:
<input type="checkbox"/> F&G <input type="checkbox"/> JT-14 <input type="checkbox"/> Other: <input type="checkbox"/> Section: Description:	<input type="checkbox"/> F&G <input type="checkbox"/> JT-14 <input type="checkbox"/> Other: <input type="checkbox"/> Section: Description:

Evidence Seized

Evidence Description (Amount, Type, Serial Number, etc.) "X" ONE <input type="checkbox"/> Held <input type="checkbox"/> Returned <input type="checkbox"/> Destroyed <input type="checkbox"/> Other Three photographs of Streambed and project were taken. No violation of Fish and Game Code was observed.		Evidence Photographed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Evidence Description (Amount, Type, Serial Number, etc.) "X" ONE <input type="checkbox"/> Held <input type="checkbox"/> Returned <input type="checkbox"/> Destroyed <input type="checkbox"/> Other		Evidence Photographed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Evidence Description (Amount, Type, Serial Number, etc.) "X" ONE <input type="checkbox"/> Held <input type="checkbox"/> Returned <input type="checkbox"/> Destroyed <input type="checkbox"/> Other		Evidence Photographed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Case Synopsis

On 08-08-07, Bob Josea of the Department of Fish and Game received a complaint of an unlawful stream diversion and removal of trees. The reporting party was Mark Dwyer 530-344-7080. Dwyer reported his neighbor, Ken Teague had built a gazebo in a streambed, removed trees and diverted the waterway. See attached narrative for further.

See WPD 6D FOR ADDITIONAL SUSPECT AND WITNESS INFORMATION ONE YES NO

Preparer's Name and Badge Number Warden Durrell Stevenson #366	Date 08-22-07	Reviewer's Name	Date
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Attachment 5:

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

SUPPLEMENTAL SUSPECT/WITNESS INFORMATION

WPD 6b (10-98)

Region #NED Page 2

DATE OF INCIDENT/OCCURRENCE 08-15-07	TIME (2400) 1200	CITY/COUNTY/JUDICIAL JURISDICTION 4874 Rainbow Trail, Pollock Pines, CA / El Dorado County.
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Additional Suspect Information

Name Suspect #2 (First, Middle, Last)		Sex [] M [] F	Date of Birth (MM/DD/YY)	Citation Number
Suspect Address (Street, Apt., City, State, Zip Code)				Home Phone
Business Address (Street, Apt., City, State, Zip Code)				Business Phone
Identification Type ("X" APPLICABLE) [] CDL/CID [] Other State DL/ID [] Other ID: Number:	Suspect Description ("X" APPLICABLE) GENERAL: HAIR: EYES: ETHNICITY: Height: _____ [] Bln [] Blk [] Brn [] Blu [] Brn [] Asian [] Black [] Hispanic Weight: _____ [] Gry [] Red [] None [] Gm [] Hzl [] White [] Other			
Vehicle Type ("X" APPLICABLE) [] Auto [] Vessel [] Other	Description (Make, Model, Year, Color)			License Plate Number/VIN
Name Suspect #3 (First, Middle, Last)		Sex [] M [] F	Date of Birth (MM/DD/YY)	Citation Number
Suspect Address (Street, Apt., City, State, Zip Code)				Home Phone
Identification Type ("X" APPLICABLE) [] CDL/CID [] Other State DL/ID [] Other ID: Number:	Suspect Description ("X" APPLICABLE) GENERAL: HAIR: EYES: ETHNICITY: Height: _____ [] Bln [] Blk [] Brn [] Blu [] Brn [] Asian [] Black [] Hispanic Weight: _____ [] Gry [] Red [] None [] Gm [] Hzl [] White [] Other			
Name Suspect #4 (First, Middle, Last)		Sex [] M [] F	Date of Birth (MM/DD/YY)	Citation Number
Suspect Address (Street, Apt., City, State, Zip Code)				Home Phone
Identification Type ("X" APPLICABLE) [] CDL/CID [] Other State DL/ID [] Other ID: Number:	Suspect Description ("X" APPLICABLE) GENERAL: HAIR: EYES: ETHNICITY: Height: _____ [] Bln [] Blk [] Brn [] Blu [] Brn [] Asian [] Black [] Hispanic Weight: _____ [] Gry [] Red [] None [] Gm [] Hzl [] White [] Other			

Witness Information

Name Witness #1 (First, Middle, Last) Warden B. Yncian #270	Sex [X] M [] F	Date of Birth (MM/DD/YY) N/A	Identification Number Game Warden
Witness Address (Street, Apt., City, State, Zip Code) 1701 Nimbus Road, Rancho Cordova, CA			Home Phone 530-677-8662
Name Witness #2 (First, Middle, Last)	Sex [] M [] F	Date of Birth (MM/DD/YY)	Identification Number
Witness Address (Street, Apt., City, State, Zip Code)			Home Phone

Preparer=s Name and Badge Number Warden Darrell Stevenson #366	Date 08-22-07	Reviewer=s Name	Date
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STATE OF CALIFORNIA
 DEPARTMENT OF FISH AND GAME
NARRATIVE/SUPPLEMENTAL

WPD 6b p.2 (10-98)

Region # NED Page

DATE OF INCIDENT/OCCURRENCE 08-15-07	TIME (2400) 1200	CITY/COUNTY/JUDICIAL JURISDICTION 4874 Rainbow Trail, Pollock Pines, CA / El Dorado County
"X" APPLICABLE <input type="checkbox"/> Narrative <input type="checkbox"/> Arrest Report <input checked="" type="checkbox"/> Supplemental <input type="checkbox"/> Formal Complaint		TYPE OF REPORT ("X" APPLICABLE) <input type="checkbox"/> Commercial Fishing <input type="checkbox"/> Hunting <input type="checkbox"/> Inland Pollution <input type="checkbox"/> Incident Report <input type="checkbox"/> Recreational Fishing <input type="checkbox"/> Trapping <input type="checkbox"/> Marine Pollution <input checked="" type="checkbox"/> Other
Location/Subject/Incident Name 4874 Rainbow Trail / Ken Teague / Unfounded Streambed Alteration		Arresting/Case Officer Stevenson #366
		Citation Number NONE

1 On 08-08-07, Bob Josea of Department of Fish and Game received a report of a possible streambed violation.
 2 The reporting party was Mark Dwyer. Dwyer reported his neighbor Ken Teague had altered the creek and
 3 built a gazebo in the middle of the stream channel.
 4
 5 On 08-15-07, I spoke with Josea. He told me what Mark Dwyer had told him. I told Josea I would check it
 6 out.
 7
 8 At approximately 1200 hours, I drove to 4874 Rainbow Trail in Pollock Pines. I did not observe a large
 9 project or anything else. I was flagged down by Ken Teague. He asked me if I was looking for him. I told him
 10 yes. I told Teague I had received a complaint that he had diverted the stream or ditch in front of his home. I
 11 followed Teague to his property at 4874 Rainbow Trail. He showed me the work he had done along the
 12 stream channel. I took three photographs of the work (see attached photos). I observed no violations of the
 13 Fish and Game Code. Teague told me he had a car port recently built on the north end of his home and also
 14 had a gazebo constructed out in front of the home. He told me he was working with the County Building
 15 Department to secure the proper permits. The creek and or run off ditch was not disturbed and or altered. The
 16 gazebo appeared to be built above the high water line of the creek.
 17
 18 Later in the afternoon, I had a lengthy, sometimes heated discussion with Mark Dwyer (the reporting party). I
 19 told Dwyer I observed no violations of the Fish and Game Code. He did not want to hear what I told him. I
 20 told him I would do a little follow up and talk to him again.
 21
 22 On 08-16-07 at approximately 1330 hours, Warden B. Ynclan #270 and I drove to the creek area above 4874
 23 Rainbow Trail (Teague's address). I wanted to see if the creek / ditch looked more like a stream above
 24 Teague's residence. What we observed was a drainage area with trees, logs and other debris in and along the
 25 creek bed. We observed no defined stream and no riparian vegetation. While we were looking at the creek /
 26 ditch we heard numerous shots downstream near Teague's residence. We drove down to 4874 Rainbow Trail
 27 and made contact with Ken Teague. I asked him about the shots. Teague told us it was his neighbor Mark

Preparer=s Name and Badge Number	Date	Reviewer=s Name	Date
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'X' APPLICABLE <input type="checkbox"/> Narrative <input type="checkbox"/> Arrest Report <input checked="" type="checkbox"/> Supplemental <input type="checkbox"/> Formal Complaint		TYPE OF REPORT ('X' APPLICABLE) <input type="checkbox"/> Commercial Fishing <input type="checkbox"/> Hunting <input type="checkbox"/> Inland Pollution <input type="checkbox"/> Incident Report <input type="checkbox"/> Recreational Fishing <input type="checkbox"/> Trapping <input type="checkbox"/> Marine Pollution <input checked="" type="checkbox"/> Other
Location/Subject/Incident Name 4874 Rainbow Trail / Ken Teague / Unfounded Streambed Alteration		Arresting/Case Officer Stevenson #366
		Citation Number NONE

28 Dwyer, Teague had a couple of workers removing dead trees on his property and an adjoining neighbor's
 29 property. Teague showed us a letter his neighbor had given to him to allow his workers to cut the trees.
 30 Warden Ynclan and I inspected the creek / drainage area. Warden Ynclan came to the same conclusion that I
 31 had. There was no violation of the Fish and Game Code and the gazebo was constructed above the high water
 32 mark of the creek / ditch /channel.

33

Preparer=s Name and Badge Number	Date	Reviewer=s Name	Date
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